

401 KAR 8:101. Approval timetable for 401 KAR Chapter 8.

RELATES TO: KRS 224.10-100, 224.10-220

STATUTORY AUTHORITY: KRS 224.10-110, 224.10-220

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-220 requires the Environmental and Public Protection Cabinet to prescribe timetables for the issuance of all permits by the cabinet, except those permits for which a timetable is set out by statute. This administrative regulation establishes timetables for approvals that are required by 401 KAR Chapter 8.

Section 1. Approval Timetables. The cabinet shall issue its final decision on a request for a preliminary or final approval of plans and specification reviews within forty-five (45) calendar days of receipt of the complete request for approval. A complete request for approval shall contain all the administrative and technical information required by applicable statutes and administrative regulations.

Section 2. Timetable Extensions. (1) If two (2) or more permits for a facility, site, source, construction project, or other entity are required from the cabinet, the cabinet may coordinate the issuance of the permits, establishing different review and action times that shall be accomplished by the cabinet or applicant. If the permits are coordinated, the cabinet shall so notify the applicant and indicate the time frames under which the intermediate and final permit actions shall be accomplished. The established time frame for final action shall not exceed the last date for action that is provided for under applicable statutes and administrative regulations, based on all applications being considered and their filing dates.

(2) The applicant and the cabinet may agree that the timetables or review times specified in this administration regulation may be extended.

Section 3. For applications for approvals submitted to the division prior to the effective date of this administrative regulation, the review times shall be applied as if the application were received on the effective date of this administrative regulation. (19 Ky.R. 1946; Am. 2402; eff. 4-28-93; TAm eff. 8-9-2007.)